

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DEBORAH A. CARTER,  
Plaintiff,

v.

AETNA LIFE INSURANCE COMPANY,  
Defendant.

Case No. 6:13-cv-01734-TC

ORDER

AIKEN, Chief Judge:

On December 10, 2014, Magistrate Judge Coffin denied defendant's motions for summary judgment and to supplement the record in the above-captioned case. Magistrate Judge Coffin found that the provisions of a supplemental life insurance plan regarding permanent disability and retirement were compatible, but that defendant failed to show the absence of genuine issues of material fact to warrant summary judgment. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). Plaintiff filed timely objections to the Findings and Recommendation, arguing that the relevant plan should not be construed to allow termination of supplemental disability coverage upon the employee's retirement.

I have given de novo review of Magistrate Judge Coffin's ruling. I find no error in his analysis of the relevant plan.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's ruling filed December 10, 2014 is ADOPTED in its entirety and defendant's motions for summary judgment and to supplement the record (docs. 17, 21) are DENIED..

Dated this 5<sup>th</sup> day of March, 2015.



Ann Aiken  
United States District Judge